

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re)	
)	Chapter 11 Case No.
)	
Lehman Brothers Holdings Inc., et al.;)	08-13555 (SCC)
)	
Debtors.)	Jointly Administered
)	
)	

**[PROPOSED] ORDER GRANTING MOTION OF THE PLAN
ADMINISTRATOR FOR AN ORDER AUTHORIZING THE ABANDONMENT
OF DEBTOR RECORDS**

**ORDER AUTHORIZING THE ABANDONMENT OF
DEBTOR RECORDS**

Upon the motion dated August 10, 2022 (the “Motion”) of Lehman Brothers Holdings Inc. (“LBHI”), Plan Administrator under the *Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors*, dated August 31, 2011 (as subsequently supplemented, amended or modified, including by the Plan Supplement, the “Plan”), requesting entry of an order authorizing the abandonment of Debtors’ Records and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334, Article XIV of the Plan, and paragraph 77 of the Confirmation Order; and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested by the Motion is necessary and in the best interests of the estate, its customers, its creditors, and all parties in interest; and it appearing that due and proper notice of the Motion having been given to all parties who may have an interest in the Records, and no other or further notice is necessary; and the Plan Administrator having articulated good, sufficient, and sound

business justifications for abandoning the Records; and the Court having reviewed the Motion and having held a hearing with appearances of parties in interest, [and it appearing that no objections have been filed to the Motion]; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, it is hereby:

ORDERED that the Motion is GRANTED; and it is further

ORDERED that pursuant to section 554(a) of the Bankruptcy Code, Section 6.1(b)(iii) of the Plan, and Paragraph 6 of the Confirmation Order, the Plan Administrator is authorized and directed to abandon the Records commencing fourteen (14) business days following entry of this Order (the “Effective Date”); and it is further

ORDERED that, on the Effective Date, the Records shall no longer constitute property of the Debtors’ estates pursuant to section 541(a) of the Bankruptcy Code and the Plan Administrator and its professionals will have no further responsibility or obligations with respect to the Records, including with respect to subpoenas, document requests, or litigation holds; and it is further

ORDERED that the Plan Administrator shall make payments to maintain the Records until the Effective Date; and it is further

ORDERED that, on the Effective Date, the Plan Administrator shall no longer be required to make further payments related to the Records; and it is further

ORDERED that, commencing on the Effective Date or promptly thereafter, the destruction and termination of any and all of the Records shall be effectuated; and it is further

ORDERED that within five (5) business days of the completion of the destruction of the Records, all third-party service providers shall provide the Plan Administrator certification of such destruction; and it is further

ORDERED that the Plan Administrator is authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York

_____, 2022

/s/ Shelley C. Chapman

HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE